

Remarks

The Examiner rejected claims 1-14 under 35 USC §112 due to clarity and antecedent basis issues. Applicants amended the claims to overcome the rejections. In addition, because a literal translation of the German word “Lagerpunkt” to English arrived at “storage point”, which is obviously wrong in view of the context of the application, we amended the claims and specification to correct the term “storage point” to “bearing point”. There is no deceptive intent or new matter by such amendments.

The Examiner rejected claims 1-4, 9, 10, and 13 under 35 USC §102 as being anticipated by U.S. Patent 4,462,404 to Schwarz. Based on the foregoing amendments and following remarks, the rejections should be withdrawn.

All claims relate to jaw members that are lockable in both open and closed positions, meaning a user need not exert force to keep the jaw members in a closed position or in an open position. This is accomplished by a spring element that is moved from a relaxed position (open) to another relaxed position (closed). When in a relaxed position, the user may remove the hands and the relaxed position (either open or closed) is maintained without exerting any further force. More specifically, the spring connects the two hand grips to one another and is fixedly mounted between the handgrips of the handle via at least two stationary bearing points.

Schwarz discloses a spring that is continuously compressed and a series of mechanical locks to hold the handles in certain positions. The spring is never in a relaxed state. Schwarz does not disclose that the spring is mounted between the handgrips of the handle via at least two bearing points. In an opposite teaching, Schwarz discloses that the spring is slideable on one handgrip and therefore is not fixedly connected.

For the foregoing reasons, Applicants submit all claims are in condition for allowance.

Respectfully submitted,

/Wesley W. Whitmyer, Jr./

August 20, 2007

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